

YOUTH LAW CENTER
CHILDREN'S LEGAL PROTECTION CENTER
Protecting America's most vulnerable children

Testimony for CPR Health and Human Services Hearing
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1. The Youth Law Center supports the intent of Recommendation HHS 08, which calls for strong State oversight of California's Foster Care programs.
 - a. This oversight is required by Federal law.
 - b. The AB 636 process is designed to accomplish some of these aims.
 - c. More can be done to give the State authority to remedy County operations.
2. Some of the other recommendations undermine this goal or provide for less coordination.
3. HHS 02, realignment of foster care funding will weaken the quality and accountability of the program.
 - a. The State will have less control over the Counties and be less able to mandate improvements.
 - b. There are problems with the single state agency requirement of federal law.
 - c. The federal government is in the process of changing the funding scheme so state changes are premature.
4. HHS 21 will fragment responsibility for quality of care in foster care placements.
 - a. Foster care licensing is different in that only the public agency uses the licensed facility.
 - b. As a result the programmatic goals should dictate the use of resources, which is impossible if the authority is divided.
 - c. Programmatic goals should also be considered in developing regulations
 - d. Licensing should include attention to quality rather than simply physical plant.
 - e. Licensing should take into account special circumstances in granting waivers. What these circumstances are is dictated by programmatic policy.
5. HHS 19 inappropriately reduces discretion in the context of foster care.
 - a. Because the success of a foster home is based on the relationship with the child there may be situations in which waivers for certain criminal acts are appropriate in an individual case.
 - b. Savings could be accomplished by excepting certain minor crimes that occurred in the distant past from the waiver requirement.
 - c. A balanced waiver program will allow kin to care for children.

6. HHS 09 does not address the real barriers to adoption.
 - a. The goal of this recommendation is critical and laudable.
 - b. However, most children are adopted by kin or existing foster parents.
 - c. These groups are deterred from adopting by bureaucratic hurdles and extensive delay.
 - d. Recruitment is ineffective as long as the program has a reputation for poor follow through and “customer service.”
 - e. Increased state oversight of the process and increased accountability is critical to success.